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INS REVERSES MOVE TO DEPORT FORMER NICARAGUAN REBEL LEADER
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WASHINGTON

The Immigration and Naturalization Service has reversed a decision to seek deportation proceedings against former Nicaraguan rebel leader Edgar Chamorro, an official of the agency said Monday.

Perry Rivkind, INS district director in Miami, said in a telephone interview that Chamorro, whose request for political asylum in this country had been turned down, was eligible for permanent residency status because he has family members who are U.S. citizens.

In a letter to Chamorro rescinding the decision to seek deportation proceedings, Rivkind wrote: "Based on representations made by your attorney, the issuance of the notice of exclusion hearing was erroneous. Please disregard that notice."

Rivkind said Chamorro's eligibility to stay in the United States because of his family members already living here as citizens "negates the asylum claim. In 60-90 days, he should receive permanent residency."

Chamorro led the U.S.-supported Nicaraguan Democratic Force, fighting to overthrow Nicaragua's leftist Sandinista government, until forced to resign last November, following testimony he provided the House Intelligence Committee about alleged illegal activities carried out by the CIA.

Within a month, the INS denied Chamorro's application for political asylum, a status granted immigrants who can establish a well-founded fear of persecution if deported.

In June, he was advised that deportation proceedings would be initiated against him.

The case brought protests from congressional Democrats last month, who accused the Reagan administration of trying to silence an outspoken critic.

"Its a perfect example of the administration using the immigration laws to censor debate," said Rep. Barney Frank, D-Mass, at the time.

Chamorro himself said he considered the INS actions "politically motivated," intended to quash his criticism of CIA activities in Central America.

A CIA spokeswoman, Kathy Pherson, said the agency would have no comment on the matter.